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SKADDEN, ARPS, SLATE,
MEAGHER & FLOM LLP
Jay B. Kasner
Scott D. Musoff
Four Times Square
New York, New York 10036
(212) 735-3000

Attorneys for Defendant Merrill Lynch & Co., Inc.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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OPERATIVE PLASTERERS & CEMENT :
MASONS LOCAL 262 PENSION AND :
ANNUITY FUNDS, Derivatively On Behalf of :
Nominal Defendant MERRILL LYNCH & :
CO., INC., :

Plaintiff,

vs.

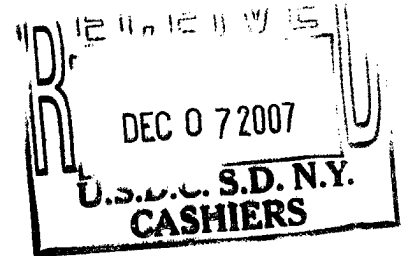
E. STANLEY O'NEAL, AHMASS L.
FAKAHANY, GREGORY J. FLEMING,
JEFFREY N. EDWARDS, CAROL T.
CHRIST, ARMANDO D. CODINA, VIRGIS
W. COLBERT, ALBERTO CRIBIORE, JOHN
D. FINNEGAN, JUDITH MAYHEW JONAS,
JOSEPH W. PRUEHER, ANN N. REESE,
CHARLES O ROSOTTI,

Defendants,

and

MERRILL LYNCH & CO., INC.,

Nominal Defendant.
----- x

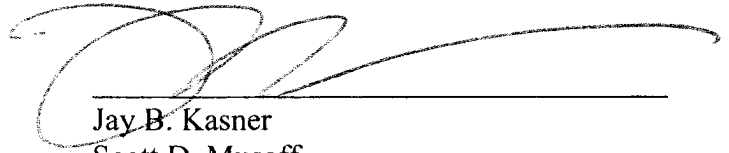


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RULE 7.1 STATEMENT

Defendant Merrill Lynch & Co., Inc. states that it is a publicly held company whose shares are traded on the New York Stock Exchange and there is no publicly held corporation that owns 10% or more of its stock.

Dated: New York, New York
December 7, 2007

A handwritten signature in black ink, appearing to read "Jay B. Kasner", is written over a horizontal line.

Jay B. Kasner
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